

**MINUTES
EAGAR TOWN COUNCIL
REGULAR MEETING
22 W. 2nd St., Eagar, AZ
July 21, 2009 – 7:00 P.M.**

Town Clerk Eva Wilson called the meeting to order and welcomed those present. Ms. Wilson stated that Mayor Kim Holaway and Vice-Mayor James Nelson, Jr. are absent and excused; and that all other council members are present. Councilor Byron Smith led the Pledge of Allegiance, and Bruce Ray offered the invocation.

COUNCIL PRESENT: Byron Smith
 Gary Finch
 Guy Phelps
 Steve Erhart
 Melissa Webb

COUNCIL ABSENT: Kim Holaway, Mayor
 James Nelson, Jr., Vice Mayor

STAFF PRESENT: Bill Greenwood, Town Manager
 Katie Wood, Finance Administrator
 Elwin Browning, Public Works Administrator
 Bruce Ray, Community Development Director
 Eva Wilson, Town Clerk

ITEM #5: SUMMARY OF EVENTS

A. MAYOR

None.

B. COUNCIL

Councilor Guy Phelps reported that the Pitch In – Clean Up Committee has chosen Al and Glenda Romero’s yard for July’s Yard of the Month. The committee has received phone calls from citizens asking for help with their yard clean up.

Councilor Melissa Webb attended the Drug Free Committee meeting and they are always looking for community support. Councilor Webb attended the Racquetball Ad Hoc Committee meeting and they have developed a fee schedule and plan for the facility; the recommendations will be forwarded to the Town Manager.

Councilor Steve Erhart was just at the cinder pit where a power screener has been set up. He stated that the power screener puts out a large amount of product in a short time.

Councilor Byron Smith attended the White Mountain Regional Transportation meeting. Navajo County has reported that they may go to a 4-10 workweek, and will reduce their budget by 2.5% across the board to cover a \$500,000 deficit. There was discussion regarding the road(s) that connect Highway 60 and 260 in the Show Low area. The State of Arizona will divert billions of dollars from the Arizona Department of Transportation impacting the region's snow removal.

Councilor Smith attended the Round Valley Library Grand Opening and reported that it is a very nice facility. The Chamber of Commerce did not have a meeting this month. The Chamber will be serving concessions at the High Country Hummer Event at Sipe Wildlife Area on Saturday, July 25, 2009.

C. STAFF

Town Manager Bill Greenwood reported that he met with Arizona Corporation Commission Republican Candidate Brenda Burns regarding the biomass plant proposals. Ms. Burns has formerly served in the Arizona Senate and House.

Mr. Greenwood continues to keep in contact with HDR, the contractor for the Main Street/South Mountain Avenue repaving project; they are looking at exclusion for the environmental study.

ITEM #6: OPEN CALL TO THE PUBLIC

Don Spears who lives at 264 West Central Avenue would like the Town to consider placing a prohibition on the use of engine brakes in his area. He reported that large trucks use their engine brakes heading eastbound coming into town and that it disturbs the peace. The Council asked that Police Chief Mike Hogan research the subject and to bring a report and recommendation back to the Council.

ITEM #7: CONSENT AGENDA

APPROVAL OF MINUTES OF THE JOINT COUNCIL MEETINGS HELD MAY 2009

APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETINGS HELD JUNE 2009

APPROVAL OF JUNE 2009: BANK TRANSMITTALS 1-23, BANK OF THE WEST CHECKS WRITTEN FROM 13074-13083, NATIONAL BANK OF AZ CHECKS WRITTEN FROM 26381-26552, PAYROLL DIRECT DEPOSIT VOUCHERS 6040901-6180936, COMMUNITY FIRST CREDIT CARD PURCHASES

Councilor Melissa Webb moved to approve the minutes of the Joint Council meetings held May 2009; minutes of Eagar Town Council meetings held June 2009; bank transmittals, checks written, payroll direct deposit vouchers, and credit card purchases. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 5-0

ITEM #8: UNFINISHED BUSINESS

- A. DISCUSSION, CONSIDERATION AND SECOND READING OF ORDINANCE 2009-04 AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PARCEL 104-13-001 AND 104-22-003A FROM AR-20 TO C-2 AS REQUESTED BY DONNA TRAPHAGAN AND THE WHITING FAMILY TRUST – SOUTHWEST CORNER OF BURK AND CENTRAL

Councilor Steve Erhart moved to approve Ordinance 2009-04 amending the zoning map by changing the zoning of Parcel 104-13-001 and 104-22-003A from AR-20 to C-2 as requested by Donna Traphagan and the Whiting Family Trust – southwest corner of Burk and Central. Councilor Gary Finch seconded; all were in favor, motion carried unanimously. 5-0

- B. DISCUSSION, CONSIDERATION AND SECOND READING OF ORDINANCE 2009-03 REVISING TOWN CODE SECTION 13 – PUBLIC SERVICES AS RECOMMENDED BY THE EAGAR UTILITIES BOARD

Councilor Melissa Webb moved to approve Ordinance 2009-03 revising Town Code Section 13 – Public Services as recommended by the Eagar Utilities Board. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 5-0

- C. DISCUSSION AND CONSIDERATION OF JUNE'S FINANCIAL REPORT FISCAL YEAR 2008-2009 BUDGET, AND THE TOWN'S SALES TAX REVENUE REPORT FOR JUNE

Finance Administrator Katie Wood reported that the 2008-2009 fiscal year ended with accounts payable and bonds payments being met. The fiscal year 2009-2010 will have a good start, although the fiscal year will be tight. This report is not the year-end report, as all accruals have not been accounted for; expect the year-end report in September or October.

- D. DISCUSSION AND CONSIDERATION OF ANY ACTION TO BE TAKEN ON LEGISLATIVE ISSUES

The legislature has adjourned without a final word on the state budget. The proposed sales tax by the Governor will go to the voters. If voters do not approve the tax, State Shared Revenues for cities and towns will be at risk.

ITEM #9: NEW BUSINESS

- A. DISCUSSION AND CONSIDERATION OF RESOLUTION 2009-21 APPROVING THE FEE SCHEDULE SETTING THE PENALTY FOR UNAUTHORIZED USE AT \$50.00 PER OCCURRENCE

Councilor Steve Erhart moved to approve Resolution 2009-21 approving the Fee Schedule setting the penalty for unauthorized use at \$50.00 per occurrence. Councilor Guy Phelps seconded; all were in favor, motion carried unanimously. 5-0

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B. DISCUSSION AND CONSIDERATION OF RESOLUTION 2009-22 APPROVING THE FEE SCHEDULE SETTING THE SERVICE FEE AT \$40.00

Councilor Gary Finch moved to approve Resolution 2009-22 approving the Fee Schedule setting the Service Fee at \$40.00. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 5-0

C. DISCUSSION AND CONSIDERATION OF RESOLUTION 2009-23 APPROVING THE FEE SCHEDULE INCREASING THE CHARGE FOR NON-SUFFICIENT FUND RETURNS OR ELECTRONIC PAYMENT TO \$25.00

Councilor Steve Erhart moved to approve Resolution 2009-23 approving the Fee Schedule increasing the charge for non-sufficient fund returns or electronic payment to \$25.00. Councilor Guy Phelps seconded; all were in favor, motion carried unanimously. 5-0

ITEM #10: SIGNING OF DOCUMENTS

The Council signed the Minutes of June 2009.

ITEM #11: ADJOURNMENT

Councilor Steve Erhart moved to adjourn the meeting at 7:35 p.m. Councilor Gary Finch seconded; all were in favor and the meeting adjourned.

Attest: _____

Mayor: _____

Vice-Mayor _____

Council: _____

CERTIFICATION OF COUNCIL MINUTES

I hereby certify that the foregoing minutes are true and correct copy of the minutes of the regular session of the Town of Eagar, Arizona held on July 21, 2009. I further certify that the meeting was duly called and held and that a quorum was present.

Eva M. Wilson, Town Clerk